



County of Los Angeles CHIEF EXECUTIVE OFFICE

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WILLIAM T FUJIOKA
Chief Executive Officer

August 27, 2007

To: Supervisor Zev Yaroslavsky, Chairman
Supervisor Gloria Molina
Supervisor Yvonne B. Burke
Supervisor Don Knabe
Supervisor Michael D. Antonovich

From: William T Fujioka
Chief Executive Officer

Board of Supervisors
GLORIA MOLINA
First District

YVONNE B. BURKE
Second District

ZEV YAROSLAVSKY
Third District

DON KNABE
Fourth District

MICHAEL D. ANTONOVICH
Fifth District

DEPARTMENT OF REGIONAL PLANNING: FEE WAIVERS FOR LAND-USE APPLICATIONS

On April 17, 2007, your Board directed the Chief Administrative Officer and the Director of Planning to develop a draft fee waiver policy related to land-use applications to the Department of Regional Planning.

Recommendation

The Chief Executive Office (CEO) and the Department of Regional Planning (DRP) recommend that your Board maintain the current procedure requiring a Board-adopted resolution or ordinance for fee waivers and adopt a policy (Attachment I) to establish criteria for the consideration of fee waivers for land-use applications that meet the following criteria:

- 1) Affordable housing projects that do not meet the criteria specified in Section 22.60.135, but provide critically needed affordable housing and have other project benefits that warrant consideration of a fee waiver such as:
 - a. Projects by nonprofit organizations that do not involve the Community Development Commission (CDC).
 - b. Projects by for-profit developers requesting a density bonus, where less than 100 percent of the constructed dwellings are for lower and very low-income households. Such projects may be considered for a fee reduction that is in proportion to the percentage of housing units that meet the lower income and very low-income criteria (e.g., a project where 80 percent of the constructed dwellings are for lower and very low-income household would receive an 80 percent reduction in fees).

- 2) Disaster recovery projects, as determined by the Board, where essential infrastructure and services must be restored or replaced in a timely manner due to a natural or man-made disaster.
- 3) Nonprofit organization projects, as determined by the Board, which have significant public benefit and community outreach and serve broad-based community needs that would not have otherwise been met.

Fiscal Impact

Based on Fiscal Year 2006-07 data detailed below, the annual net County cost impact is minimal, estimated at \$31,051. The Department of Regional Planning conducted a fiscal impact analysis of projects that would potentially be affected by the proposed fee waiver policy including: Conditional Use Permits (CUPs), Housing Permits, Site Plan Reviews and Temporary Use Permits. The following summarizes the cases:

Application Type	Criteria	No. of Cases Filed	No. of Cases Impacted	Fee Amount
Conditional Use Permits*	Nonprofit Organization	326	2	10,738
Housing Permits**	Affordable Housing	4	4	9,962
Site Plan Review	Child Care Facilities	2,286	8	4,061
Temporary Use Permit	Non-Profit Organization	36	36	6,290
Total		2,652	16	\$31, 051

* Note - Fee Waivers for the CUP cases listed above are only included as they meet the eligibility requirements established under the proposed policy.

** Affordable Housing Projects under the Density Bonus Ordinance (August 8, 2006)

It is difficult to determine the potential fiscal impact of fee waivers relative to natural and man-made disasters under the proposed policy; however, since these events are rare, especially to the extent that important infrastructure and services would be severely impacted, it is unlikely that the proposed fee waiver policy will have a significant fiscal impact as it relates to disaster events.

Background

Currently, the Director of Planning does not generally have the authority to waive fees for permits and applications specified in Titles 21 and 22 of the County Code without the Board adopting a resolution to waive such fees on a case-by-case basis. Exceptions include:

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- Planning fee *exemptions* for affordable housing projects that meet the criteria under Title 22, Section 22.60.135, including projects by nonprofit organizations subsidized by the CDC, or other public funding sources.
- *Reduced* filing fees for:
 1. Projects located in Transit Oriented Districts; and
 2. Large family child care homes and child care centers; with additional reductions for certain nonprofit organizations

The Department of Regional Planning surveyed other jurisdictions in Southern California to evaluate current fee waiver policies and procedures and to assist in determining best practices for Los Angeles County. The following jurisdictions were contacted: the Cities of Beverly Hills, Glendale, Long Beach, Los Angeles, Pasadena, Santa Clarita, Santa Monica, and West Hollywood, and the Counties of Orange, Riverside, and Ventura. Attachment II summarizes the survey results. The Department of Regional Planning's recommendations are based upon this survey of other jurisdictions and current County practice.

Granting fee waivers helps ensure that critical projects move forward that provide essential community services and infrastructure, thereby enhancing the quality of life for residents in unincorporated Los Angeles County.

If you have any questions regarding this matter, please contact me or your staff may contact Dorothea Park of this Office at (213) 974-4283 or via e-mail at dpark@ceo.lacounty.gov.

WTF:LS
DSP:AG:ib

Attachments (2)

c: Executive Officer, Board of Supervisors
County Counsel
Director of Planning



Los Angeles County
BOARD OF SUPERVISORS POLICY MANUAL

Policy #:	Title:	Effective Date:
0.000	Department of Regional Planning Fee Waivers for Land-Use Applications	00/00/00

PURPOSE

Establishes the criteria for the consideration of fee waivers related to land-use applications to the Department of Regional Planning for certain projects the Board deems important to promote County Strategic Plan goals and Board-adopted policies.

REFERENCE

April 17, 2007 Board Order, Synopsis 12

August 23, 2007 Chief Executive Office memorandum, "Department of Regional Planning Fee Waivers for Land-Use Applications"

POLICY

The Board of Supervisors shall consider the waiver of fees for land-use applications to the Department of Regional Planning that meet the following criteria:

- 1) Affordable housing projects that do not meet the criteria specified in Section 22.60.135, but provide critically needed affordable housing and have other project benefits that warrant consideration of a fee waiver such as:
 - a. Projects by nonprofit organizations that do not involve the Community Development Commission (CDC).
 - b. Projects by for-profit developers requesting a density bonus, where less than 100 percent of the constructed dwellings are for lower and very low-income households. Such projects may be considered for a fee reduction that is in proportion to the percentage of housing units that meet the lower income and very low-income criteria (e.g., a project where 80 percent of the constructed dwellings are for lower and very low-income household would receive an 80 percent reduction in fees).

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- 3) Nonprofit organization projects, as determined by the Board, which have significant public benefit and community outreach and serve broad-based community needs that would not have otherwise been met.

RESPONSIBLE DEPARTMENT

Department of Regional Planning

DATE ISSUED/SUNSET DATE

Issue Date: July 31, 2007

Sunset Date: July 31, 2012

FEE WAIVER POLICIES/PROCEDURES-OTHER JURISDICTIONS

Jurisdiction	Procedure	Eligibility	Comments
Beverly Hills	No fee waiver policy		
Glendale	No fee waiver policy		
Long Beach	No fee waiver policy		
Los Angeles	No fee waiver policy		City Council action feasible
Pasadena	City Council - adopted ordinance or resolution	<ul style="list-style-type: none"> Affordable housing Enterprise Zone (to encourage commercial/industrial development) Historic treasure or landmark 	No case-by-case discretion
Santa Clarita	No fee waiver policy		City Council action feasible, but has not been used before
Santa Monica	Fee waivers are listed in the fee schedule	<ul style="list-style-type: none"> 100 percent affordable housing (low- and moderate-income) Large family day care centers Child care centers 	No case-by-case discretion
West Hollywood	City Council-adopted ordinance or resolution	<ul style="list-style-type: none"> Affordable housing Certain non-residential projects Private schools Public facilities and transportation Nonprofit facilities Other projects as approved by City Council via public hearing on a case-by-case basis 	
Orange County	Board action	County project	Rarely granted
Riverside County	Board action	County project or demonstrated financial hardship	Rarely granted
Ventura County	Board action, Director action	County project Natural disaster (e.g., Fire) \$1,500 credit for nonprofits	